

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In Re:

Case No. 16-30971
(Chapter 13)

Stacey Leigh Ravert,
SSN: xxx-xx-6707

Debtor.

Motion to Hardship Discharge

NOW COMES the above debtor, by and through counsel, and pursuant to 11 U.S.C. 1328(b), respectfully requests that the Court enter an Order modifying the Chapter 13 plan in this case as requested herein. In support thereof, the debtor shows unto the Court as follows:

1. The debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on June 13, 2016.
2. A Chapter 13 plan for the debtor subsequently was confirmed on August 25, 2016, and under the plan as confirmed and later modified, the debtor's plan payment was \$900.00 for the months of November 2020 through January 2021. The debtor's plan payment must increase to \$1,375.00 per month starting in February 2021 if plan duration is extended to 84 months. The debtor is in the 54th month since confirmation of her plan and the approximate payoff amount is over \$13,200.00. The debtor is unable to complete her plan.
3. The failure of the debtor to complete her plan is due to circumstances for which the debtor should not justly be held accountable in that the debtor works in the retail industry and her hours have been significantly cut and her net monthly income is significantly less and sporadic. The debtor's budget has not changed from her last amended budget. (*See Amended Schedules I and J filed as Document #36 on November 9, 2020.*) The increased plan payment to finish within 62 months or 84 months is not feasible.
4. The value, as of the effective date of the plan, of the payments actually disbursed under the Plan is not less than the amount that would have been paid on such claims if the estate of the debtor had been liquidated under Chapter 7 on such date. This case is clearly a "no asset" case under Chapter 7.
5. By reasons of the circumstances cited above, modification of the debtor's plan under Section 1329 of the Bankruptcy Code is not practicable.
6. The debtor is seeking a hardship discharge of her general unsecured debts. She acknowledges that she will still have outstanding liability with Wells Fargo Bank upon the conclusion of her case.

WHEREFORE, the debtor prays that the Court allows this motion and application and for such other and further relief as the Court finds just and proper.

Date: February 9, 2021


/s/ Marcus D. Crow

Marcus D. Crow
Attorney for Debtor
315-B North Main Street
Monroe, N.C. 28112
Telephone: (704) 283-1175
N.C. Bar No.: 27774

Local Form 8HD

March 2013

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In Re:

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(Chapter 13)

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SSN: xxx-xx-6707

Debtor.

**CHAPTER 13 DEBTOR'S CERTIFICATIONS IN SUPPORT OF
MOTION FOR HARDSHIP DISCHARGE REGARDING DOMESTIC
SUPPORT OBLIGATIONS AND SECTION 522(g)**

Pursuant to 11 U.S.C. § 1328(b) the debtor makes the following certifications and attaches the same to the Motion for Hardship Discharge.

1. XX I owed no Domestic Support Obligation when I filed my Chapter 13 petition, and I have not been required to pay any such obligation since then.
2. _____ I am or have been required to pay a Domestic Support Obligation. I have paid all such amounts that my Chapter 13 plan required me to pay. I have also paid all such amounts that became due between the filing of my Chapter 13 petition and today.
- 2a. Because I checked paragraph 2 above, I am providing the information below:
My current address is: _____
My current employer and my employer's address: _____
Debts not discharged under 11 U.S.C. § 523(a)(2) or (4): _____
Debts reaffirmed under 11 U.S.C. § 524(d): _____
3. XX I have not claimed an exemption pursuant to § 522(b)(3) and state or local law in property that I or a dependent of mine uses as a residence, claims as a homestead, or acquired as a burial plot, as specified in § 522(p)(1), that exceeds \$146,450* in value in the aggregate.
4. _____ I have claimed an exemption in property pursuant to § 522(b)(3) and state or local law that I or a dependent of mine uses as a residence, claims as a homestead, or acquired as a burial plot, as specified in § 522(p)(1), that exceeds \$146,450* in value in the aggregate.

I declare under penalty of perjury that the information provided in this certification is true and correct.

Dated: 2/9/2021

/s/ Stacey Leigh Ravert

Debtor

Dated: _____

Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
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(Chapter 13)

Stacey Leigh Ravert,
SSN: xxx-xx-6707

Debtor.

NOTICE OF HEARING ON MOTION

TAKE NOTICE that the debtor has filed a Motion for Hardship Discharge. A copy of the motion is included with this Notice or copied on the reverse side of this Notice.

Your rights may be affected. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief requested in the document, or if you want the Court to consider your views on the motion and application, then on or before **fourteen (14) days from the date of this notice**, you or your attorney must do three (3) things:

1. **File with the Court a written response requesting that the Court hold a hearing and explaining your position. File the response at:**

Office of the Clerk for the United States Bankruptcy Court
401 West Trade Street
Charlotte, NC 28202

If you mail your request to the Court for filing, you must mail it early enough so the Court will **receive** it on or before fourteen (14) days from the date of this notice.

2. **On or before the deadline stated above for written responses, you must also mail a copy of your written request to:**

Marcus D. Crow
315-B North Main Street
Monroe, N.C. 28112

Warren L. Tadlock, Trustee
5970 Fairview Road, Ste. 650
Charlotte, NC 28210

3. Attend the hearing scheduled for March 9, 2021, at 2:00 p.m. in Courtroom 1-5, United States Bankruptcy Court, 401 West Trade Street, Charlotte, North Carolina.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting the relief.

Date: February 9, 2021


/s/ Marcus D. Crow

Matthew H. Crow
Attorney for Debtor
315-B North Main Street
Monroe, N.C. 28112
Telephone: (704) 283-1175
N.C. State Bar No.: 26117

Certificate Of Service

This certifies that the foregoing and attached motion and application were served upon each of those persons shown below by depositing copies thereof in the United States Mail, First Class, postage prepaid, addressed to each of those persons at the address indicated for each on February 9, 2021.

Bankruptcy Administrator
(via ECF notice)

Warren L. Tadlock, Chapter 13 Trustee
(via ECF notice)

Ms. Stacey Ravert
(via email address)

ALL CREDITORS ON
ATTACHED MATRIX


/s/ Marcus D. Crow
Marcus D. Crow, Attorney for Debtor

Label Matrix for local noticing
0419-3
Case 16-30971
Western District of North Carolina
Charlotte
Mon Nov 9 14:23:17 EST 2020

CHC - Urgent Care West
PO Box 70826
Charlotte, NC 28272-0826

Cavalry Portfolio Services
Attn: Customer Care
500 Summit Lake Drive
Valhalla, NY 10595-2322

Credit One Bank
PO Box 98873
Las Vegas, NV 89193-8873

First Savings Credit Card
PO Box 5019
Sioux Falls, SD 57117-5019

Internal Revenue Service
P.O. Box 7317
Philadelphia, PA 19101-7317

Merrick Bank
PO Box 1500
Draper, UT 84020-1500

Milestone / Mid-America B&T
PO Box 4477
Beaverton, OR 97076-4401

PMAB, Inc.
P. O. Box 12150
Charlotte, NC 28220-2150

Quantum3 Group LLC as agent for Comenity Ban
PO Box 788
Kirkland, WA 98083-0788

Charlotte Division
401 West Trade Street
Charlotte, NC 28202-1633

Capital One
PO Box 30285
Salt Lake City, UT 84130-0285

Cavalry SPV I, LLC as assignee of Capital On
500 Summit Lake DR, ste 400
Valhalla, NY 10595-2321

Directv, LLC by American InfoSource LP as ag
PO Box 5008
Carol Stream, IL 60197-5008

Hutchens Law Firm
4317 Ramsey Street
Fayetteville, NC 28311-2133

Joseph J. Vonnegut
Hutchens, Senter, Kellam and Pettit, P.A
PO Box 2505
Fayetteville, NC 28302-2505

Merrick Bank
c/o Resurgent Capital Services
PO Box 10368
Greenville, SC 29603-0368

NC Dept. of Revenue
Bankruptcy Unit, Dept of Revenue
PO Box 1168
Raleigh, NC 27602-1168

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Quantum3 Group LLC as agent for GPCC I LLC
PO Box 788
Kirkland, WA 98083-0788

American InfoSource LP as agent for
T Mobile/T-Mobile USA Inc
PO Box 248848
Oklahoma City, OK 73124-8848

Carol Fincher
4117 John Stevenson Road
Monroe, NC 28110-9202

Comenity Bank / Lane Bryant
PO Box 182789
Columbus, OH 43218-2789

First Premier Bank
P. O. Box 5524
Sioux Falls, SD 57117-5524

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101-7346

LVNV Funding LLC
c/o Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Midland Funding, LLC
2365 Northside Drive #300
San Diego, CA 92108-2709

North Carolina Department of Revenue
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Premier Bankcard, LLC
c/o Jefferson Capital Systems, LLC
PO Box 7999
Saint Cloud, MN 56302-7999

S. Troy Staley
Hutchens Law Firm
Post Office Box 2505
4317 Ramsey Street
Fayetteville, NC 28311-2133

~~Smith Debnam
P.O. Box 26268
Raleigh, NC 27611-6268~~

~~Southeast Toyota Finance
Attention: Bankruptcy Department
PO Box 991817
Mobile, AL 36691-8817~~

~~Union County Tax Collector
P. O. Box 38
Monroe, NC 28111-0038~~

~~Wells Fargo Bank, NA
Wells Fargo Bank, N.A.
Default Document Processing/MAC# N9286-0
1000 Blue Gentian Road
Eagan, MN 55121-7700~~

~~Wells Fargo Home Mortgage
Bankruptcy Department
300 E. Sonterra Blve. #320
San Antonio TX 78258-3972~~

~~Wells Fargo Home Mortgage
Bankruptcy Dept. T7419-015
PO Box 659558
San Antonio, TX 78265-9558~~

~~World Omni Financial Corp. Its Successor and
Assigns
c/o Weltman, Weinberg & Reis Co LPA
323 W. Lakeside Ave Suite 200
Cleveland OH 44113-1009~~

~~Marcus D Crow
The Crow Law Firm
315-B North Main Street
Monroe, NC 28112-4727~~

~~Matthew H. Crow
The Crow Law Firm
315-B North Main Street
Monroe, NC 28112-4727~~

~~Stacey Leigh Raverf
4117 John Stevenson Road
Monroe, NC 28110-9202~~

~~Warren L. Tadlock
5970 Fairview Road, Suite 650
Charlotte, NC 28210-2100~~

(Via email)

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Portfolio Recovery Associates, LLC
POB 41067
Norfolk VA 23541

The following recipients may be have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Wells Fargo Bank, NA

End of Label Matrix
Mailable recipients 40
Bypassed recipients 1
Total 41